



General Assembly

January Session, 2003

Amendment

LCO No. **6909**

SB0096906909HD0

Offered by:

REP. GREEN, 1st Dist.

To: Subst. Senate Bill No. **969**

File No. 634

Cal. No. 561

(As Amended by Senate Amendment Schedule "A")

"AN ACT CONCERNING INVESTIGATIVE SUBPOENAS."

1 After subsection (a) of section 2, insert the following and
2 redesignate the remaining subsection accordingly:

3 "(b) In no event shall a prosecuting official issue a subpoena under
4 this section to a person under eighteen years of age."

5 Strike subsection (b) of section 4 in its entirety and substitute the
6 following in lieu thereof:

7 "(b) Any subpoena issued pursuant to sections 1 to 12, inclusive, of
8 this act shall contain a notice advising the person summoned of the
9 following: (1) The purpose of the investigation, (2) whether such
10 person is a target or possible target of the investigation, (3) that such
11 person has the right not to be compelled to give evidence against
12 himself or herself, (4) that such person has the right to have counsel
13 present and to consult with such counsel and, if such person is

14 indigent, to have counsel appointed to represent him or her, and (5)
15 that such person has the right to file a motion to quash or modify the
16 subpoena."

17 Strike subsection (b) of section 7 in its entirety and substitute the
18 following in lieu thereof:

19 "(b) Prior to any witness being questioned, the prosecuting official
20 shall, on the record, advise such person of the following: (1) The
21 purpose of the investigation, (2) whether such person is a target or
22 possible target of the investigation, (3) that such person has the right
23 not to be compelled to give evidence against himself or herself, and (4)
24 that such person has the right to have counsel present and to consult
25 with such counsel and, if such person is indigent, to have counsel
26 appointed to represent him or her. The presiding judge shall assure
27 that such rights are not infringed."